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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

KENNETH PARISIAN,)	CV
)	
Plaintiff,)	
vs.)	
)	COMPLAINT
UNITED STATES OF AMERICA; VISTA)	
STAFFING SOLUTIONS, INC.; and)	
NAVTEJPAL SINGH KAHLON,)	
)	
Defendants.)	
_____)	

Plaintiff alleges as follows:

1. Kenneth Parisian is an enrolled tribal member, a citizen of the State of Montana, and a resident of Blaine County, Montana.
2. This Court has jurisdiction over this cause of action pursuant to the Federal Tort Claims Act, 28 U.S.C. 2671, *et seq.*, because the claim arises from conduct of federal government agents and Plaintiff has exhausted

administrative remedies.

3. This Court has exclusive jurisdiction over tort claims brought against the United States pursuant to 28 U.S.C. § 1346(b).
4. Defendant Vista Staffing Solutions, Inc. is a Delaware corporation with its principal place of business in Plantation, Florida, that has a contract with the United States to provide health care providers on the Fort Belknap Indian Reservation.
5. Based on information and belief, Defendant Navtejpal Singh Kahlon is a California resident who is contracted to provide health care services on the Fort Belknap Indian Reservation at the Indian Health Service.
6. Plaintiff filed Federal Tort Claim Act claims on February 24, 2020, and the Department of Health and Human Services received the claims on February 28, 2020. The government has not acted on the claims, therefore Plaintiff's claims are now ripe for adjudication.
7. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(e) and 1402(b).
8. Kenneth Parisian has trigeminal neuralgia, for which he has received frequent medical care to manage pain from this condition.

9. On September 20, 2019 Kenneth Parisian presented at Ft. Belknap IHS with a pain flareup from the trigeminal neuralgia. IHS providers administered a shot of Toradol, which was ineffective, and discharged him.
10. On September 22, 2019 Parisian returned to the Fort Belknap IHS clinic with continued pain. IHS providers administered Dilantin, or generic phenytoin, by accelerated infusion.
11. After the accelerated infusion of Dilantin, Parisian began to tremble and shake uncontrollably. IHS then administered Parisian citalopram and discharged him.
12. After receiving his discharge, Kenneth Parisian continued to tremble and shake, and stated to IHS provider Ramona Governor, RN, that previous administration of Dilantin had never made him feel this way, that he felt as if he was experiencing an overdose, and that he could not walk. Ramona Governor stated that Kenneth Parisian could be experiencing an overdose, but did not reverse the decision to discharge him.
13. Kenneth Parisian's spouse took him from the IHS to the Billings Clinic, where he presented on September 23, 2019, in a toxic stupor.
14. Billings Clinic providers were able to counter the Dilantin, saving Kenneth Parisian's life.

15. Health care providers at the Ft. Belknap Health Center were negligent and violated the standard of care on September 20, 2019 after failing to treat Kenneth Parisian for a trigeminal neuralgia pain flare up and discharging him, causing the pain to worsen.
16. Health care providers at the Ft. Belknap Health Center were negligent and violated the standard of care on September 22, 2019 when they administered a high dose of Dilantin via rapid injection to Kenneth Parisian.
17. Health care providers at the Ft. Belknap Health Center were negligent and violated the standard of care in failing to properly administer the drug Dilantin to Kenneth Parisian on September 22, 2019, and September 23, 2019, causing Kenneth Parisian to suffer a drug overdose, causing physical, financial, and emotional damage.
18. Health care providers at the Ft. Belknap Health Center were negligent and violated the standard of care in the early morning hours of September 23, 2019 when they discharged patient Kenneth Parisian after giving him an overdose of the drug Dilantin, forcing him to seek emergency treatment at the Billings Clinic, a medical facility located off the reservation, causing physical, financial, and emotional damage.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

1. For judgment in such amounts as shall be proven at the time of trial.
2. For an award of attorney's fees and costs as provided by any applicable provision of law.
3. For such other and further relief as the Court deems just and equitable.

DATED this 28th day of December, 2020.

/s/ Timothy M. Bechtold
BECHTOLD LAW FIRM, PLLC